REMARKS

Claims 1-6 are pending in the application. The Examiner has rejected Claims 1-6 under 35 U.S.C. §103(a) as being unpatentable over Cheng et al. (U.S. Patent 6,226,301) in view of Johansson et al. (U.S. Patent 6,473,399), and further in view of Ahmadvand et al. (U.S. Patent 6,542,490).

Cheng et al. discloses a method and apparatus for segmentation and assembly of data frames for retransmission in a telecommunication system. The system disclosed in Cheng et al. is a system wherein the maximum number of segments is equal to 3, as in the admitted prior art. Johansson et al. discloses a method and apparatus for determining an optimum timeout under varying data rates in an RLC wireless system that uses a PDU counter. Each of Cheng et al. and Johansson et al. discloses a retransmission frame of a fixed length. Ahmadvand et al. discloses a data link control protocol for a 3G wireless system, wherein the size of a PDU can be dynamically adjusted in response to the conditions of a communications link. Claims 1 and 6 each recite that a byte number is provided to each byte of the data segments, and Claim 2 and 5 recite that a byte sequence number is provided to each byte of the data segments. Cheng et al. recites that only the frames are numbered; no number is assigned to each byte. Johansson et al. and Ahmadvand et al. do not cure this defect.

Claims 1-6 of the present application discloses a method for checking a frame sequence number, checking a byte number, and checking an indicator indicating whether or not each data segment is the last segment in order to provide information about varying data lengths. That is, the claims of the present application provide a byte number corresponding to a start byte of each data segment to thereby allow the data segments to be of varying data lengths. In this regard, the Examiner asserts that Cheng et al. discloses the above features on col. 2 lines 39-44. Applicants respectfully disagree. Referring to col. 2 lines 39-44 in Cheng et al., *"The FIRST and LAST fields of the RLP NAK control frame are used to indicate the particular data frame or sequence (indicated as a range beginning at the sequence number indicated by the FIRST field and ending at the sequence number indicated by the LAST field) of data frames that are requested to be retransmitted."* Although the feature "providing field information of a data segment" is recited in Cheng et al., Applicants respectfully direct the Examiner to col. 2 lines 27 to 31 in Cheng et al.,

wherein the RLP NAK control frame separately includes a field for informing of frame length information. The claims of the present application do not separately provide the frame length information, but instead a reception party uses the byte number for calculating the data length information.

Additionally, the claims of the present application recite that retransmission is performed in units of a byte.

Based on at least the foregoing arguments, withdrawal of the rejections of Claims 1-6 is respectfully requested.

Independent Claims 1, 2, 5 and 6 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 3 and 4, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 3 and 4 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-6, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

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